



Indiana Pro Bono Commission  
One Indiana Square, Suite 530  
Indianapolis, IN 46204

Indiana Bar Foundation  
230 East Ohio Street, Suite 200  
Indianapolis, IN 46204

## COMBINED 2005 DISTRICT REPORT, 2007 PRO BONO GRANT APPLICATION, AND 2007 PLAN

Pro Bono District 12

Applicant: Frank J. Cardis, Plan Administrator

Mailing Address: 318 Walnut Street

City: Lawrenceburg, IN Zip: 47025

Phone: (812) 537-0123 Fax: (812) 537-7090

E-mail address: district12probono@abanet.org

Judicial Appointee: Hon. G. Michael Witte

Plan Administrator: Frank J. Cardis, Esq.

Names of Counties served: Dearborn, Jefferson, Ohio, Ripley and Switzerland

Percentage of volunteer attorneys (as defined on page 3) who accepted a pro bono case in 2005 per registered attorneys in district, i.e. the district's pro bono participation rate .125  
To the extent the pro bono participation rate information is available by county, please provide below.

Number of potential clients requesting help in 2005 (limit this to actual intake done or sessions in which plan administrator or his/her delegate provided more than minimal assistance): 36

Amount of grant received for 2006: \$9,500 rec'd 5/06 – anticipating add'l \$15,000 this year

Amount of grant (2006 & prior years) projected to be unused as of 12/31/06: \$0

Amount requested for 2007: \$55,325

One supplemental, explanatory page may be added to the end of this report and plan.

## 2007 PLAN SUMMARY

- 1. Please write a brief summary of the 2007 grant request. Please include information regarding your district's planned activities including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion. The grant request should cover needs to be addressed, methods, target audience, anticipated outcomes, and how past difficulties will be addressed.**

District 12 has been without a plan administrator since August, 2003. The lack of a plan administrator has significantly hindered the implementation of prior plans and the program has nearly become dormant. Attorney recruitment efforts, attorney recognition, marketing and promotion, and record-keeping have been virtually non-existent for a substantial period of time. In early May, 2006, District 12 hired a part-time plan administrator, who has been working diligently to organize the program and to streamline case-tracking procedures. But a realistic assessment is that pro bono efforts in District 12 will need to be reborn. Fortunately, members of the district pro bono committee, the judicial liaison, members of the bar and judiciary, and our partners in the legal services community are committed to the cause.

The logical first step in the renaissance of District 12 has been to determine where the district has been and what resources, volunteer and financial, are at its disposal. To that end, the plan administrator has met at length with the managing attorney, Mark Robinson, and intake coordinator/paralegal, Brian Dotts, of Indiana Legal Services, New Albany. He has met with Mike Hollenbeck, the attorney previously responsible for referrals. He has participated in the recent plan administrators retreat, meeting afterwards with Monica Fennell of the Indiana Pro Bono Commission, Judge Melissa May of the Indiana Court of Appeals, and Amy Roth, Plan Administrator for District 14 (which was once jointly administered with District 12). District 12 has conducted its first district pro bono committee meeting since December, 2004, which was chaired by Judge G. Michael Witte and attended in person or by telephone conference by six members. Efforts are being made to fill vacancies on the committee with an effort to expand the committee to be more representative of the population of the district. An independent bank account was opened, the budget for the remainder of 2006 has been updated, funds maintained by ILS have been identified and await transfer in short order, and local and toll free telephone service was initiated. Mailings were sent to all attorneys within the District in an attempt to recreate records of the pro bono efforts in the five county area. Potential recipients of pro bono services on waiting lists were contacted to update income eligibility information and to determine the continued need for services. In essence, we are moving forward.

Meetings of the District 12 Pro Bono Committee will be scheduled on a quarterly basis. It is anticipated that such meetings will be scheduled in locations throughout the district to promote the attendance and participation of a greater number of members.

Training issues will be addressed by the scheduling of one or more continuing legal education seminars. Potential topics would likely address domestic relations issues such as child support, parenting time, and child custody, as the need for pro bono services is greatest in this area. Guardian ad litem training is another potential area for training, as local courts struggle to meet the need for guardians ad litem, even in cases where statute requires the appointment of a GAL. Because several attorneys in District 12 (Dearborn County in particular) are admitted to practice in Ohio, CLE involving topics of ethics, professionalism, and substance abuse (which are required CLE topics for Ohio attorneys) are not only relevant to the effective representation of clients, but may encourage greater attorney participation.

Attorney recognition has been lacking in District 12. Plaques may be placed in courthouses in the various counties honoring attorneys providing exceptional service to pro bono clients. Certificates of recognition from the judiciary or local bar associations for involvement in the program will be issued. If sufficient funding exists, an awards banquet or similar event will be scheduled.

Press releases, articles, or other submissions will be made to local newspaper and radio outlets recognizing volunteer attorneys. Submission of articles to professional magazines, such as *Res Gestae*, will occur on a regular basis. On an annual basis, participating attorneys will be recognized by incorporation of feature articles or publishing an advertisement in local print media. [Please see supplement for further information]

## 2005 REPORT OF VOLUNTEER ATTORNEY CASES IN DISTRICT 12

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 3A. Please list each attorney only once in the volunteer attorney column but complete one line for each pro bono case for that attorney.

### Definitions

Case: A legal matter referred to and accepted by a pro bono attorney volunteer. This includes mediation and GAL services.

Volunteer Attorney: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program. This does not include attorneys who are on the list of pro bono volunteers but who have never taken a case. The case numbers do not include cases screened, only cases actually referred to a pro bono attorney. This also includes an attorney who has worked solely on a pending pro bono case that was neither opened nor closed during the reporting year.

Case Type: Please use the abbreviations listed in Indiana Supreme Court Administrative Rule 8(B)(3) or any other defined abbreviation.

**Name of Pro Bono Provider** (includes legal service provider, court, plan administrator, bar association, and other organizations): Legal Volunteers of Southeast Indiana Judicial District 12

**IOLTA funding accounts for 100 % of total pro bono provider budget. Please state the percentage of volunteers and cases which are attributable to IOLTA funding 100%. If this percentage is substantially more than the percentage of IOLTA funding, please explain.**

Volunteer Attorney Name	County	Number of new cases accepted/opened in 2005	Number of cases closed in 2005	Number of cases pending in 2005 that were neither opened nor closed in 2005	Number of hours for cases closed in 2005 (column 4)	Case Type
Sage, Heidi Kendall	Jefferson	1	1	0	4	ES
	Jefferson	1	1	0	3	ES
	Jefferson	1	1	0	3	ES
	Jefferson	1	1	0	8	GU
	Jefferson	1	1	0	8	GU
	Jefferson	1	1	0	6	DR
	Ripley	1	1	0	20	DR
	Jefferson	0	1	0	15	DR
	Jefferson	0	1	0	18	DR
	Switzerland	1	0	0	0	DR
	Ripley	1	0	0	0	SC
	Jefferson	0	1	0	4	DIS
	Jefferson	1	1	0	20	DR

**Name of Pro Bono Provider** (includes legal service provider, court, plan administrator, bar association, and other organizations): Legal Volunteers of Southeast Indiana Judicial District 12

**IOLTA funding accounts for 100 % of total pro bono provider budget. Please state the percentage of volunteers and cases which are attributable to IOLTA funding 100%. If this percentage is substantially more than the percentage of IOLTA funding, please explain.**

**Continued**

Volunteer Attorney Name	County	Number of new cases accepted/opened in 2005	Number of cases closed in 2005	Number of cases pending in 2005 that were neither opened nor closed in 2005	Number of Hours for cases closed in 2005 (column 4)	Case Type
<b>Swincher, Della</b>	<b>Dearborn</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>DR</b>
	<b>Dearborn</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>DR</b>
	<b>Dearborn</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>20</b>	<b>DR</b>
	<b>Dearborn</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>DR</b>
	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>9</b>	<b>DR</b>
<b>Holland, Douglas</b>	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>Bankruptcy</b>
<b>Hollenbeck, Mike</b>	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>DR</b>
<b>Rosenberger, Lisa</b>	<b>Switzerland</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>DR</b>
<b>Shields, Jack</b>	<b>Ripley</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>POA</b>
<b>Schwarz, Allison</b>	<b>Dearborn</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>DR</b>
	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>DR</b>
<b>Fentress, Michelle</b>	<b>Dearborn</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>DR</b>
<b>DeJulia, Martin</b>	<b>Ohio</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>POA</b>
<b>Kellerman, John</b>	<b>Ripley</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>SC</b>
	<b>Ohio</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>DR</b>
<b>Simmons, Barbara</b>	<b>Ripley</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>MI</b>
	<b>Ripley</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>DR</b>
	<b>Ripley</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>SC</b>
<b>Cardis, Frank</b>	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>DR</b>
	<b>Dearborn</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>GU</b>
	<b>Dearborn</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>AD</b>
<b>TOTAL: 12</b>	<i>No total needed</i>	<b>TOTAL: 26</b>	<b>TOTAL: 21</b>	<b>TOTAL: 1</b>	<b>TOTAL: 165</b>	<i>No total needed</i>

## 2005 REPORT OF VOLUNTEER ATTORNEY LIMITED INFORMATION ACTIVITY IN DISTRICT 12

This limited legal information chart can include activities such as pro se clinics and call-in or walk-in informational services.

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 4A.

Please list each attorney only once in the volunteer attorney column but complete one line for each type of legal information activity for that attorney.

**Name of Pro Bono Provider** (includes legal service provider, court, plan administrator, bar association, and other organizations): Legal Volunteers of Southeast Indiana Judicial District 12

Volunteer Attorney Name	County	Type of Activity	Number of Hours
<b>Garner, Douglas</b>	<b>Dearborn</b>	<b>Advice &amp; Consultation</b>	<b>43</b>
<b>Holland, Douglas</b>	<b>Dearborn</b>	<b>Advice &amp; Consultation</b>	<b>20</b>
<b>DeJulia, Martin</b>	<b>Dearborn</b>	<b>Advice &amp; Consultation</b>	<b>4</b>
<b>TOTAL: 3</b>			<b>TOTAL: 67</b>
<b>OVERALL VOLUNTEER ATTORNEY TOTAL: 15</b>			<b>OVERALL HOURS TOTAL: 232</b>

**Name of Pro Bono Provider** (includes legal service provider, court, plan administrator, bar association, and other organizations): Legal Volunteers of Southeast Indiana Judicial District 12

[illegible]

<b>2005 REPORT</b>
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**Please list your District's 2005 activities--including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion--in chronological order.**

<b><u>Date</u></b>	<b><u>Activity</u></b>
June, 2005	Transfer of Judicial Appointment from Judge Todd to Judge Witte
July, 2005	Meeting with Legal Services to review and understand procedures in place
Fall, 2005	Meeting with University of Cincinnati faculty regarding law school students Involved with internship and externship program
Fall, 2005	Informal recruitment of plan administrator
Nov 2005	Meeting with Dearborn/Ohio County Bar regarding attorney recruitment for Pro Bono cases

## 2005 REPORT

**Please provide a short summary of how the provision of pro bono service is coordinated in your district, including the intake process, the relationships of pro bono providers in the district, how referrals are made, and how reporting is done.**

The primary source of referrals is the New Albany office of Indiana Legal Services, Inc. The Courts and social service agencies also provide a small number of referrals. Applicants are directed to the ILS office, which serves at the intake portal and screens applicants for financial eligibility and legal merit. Intake interviews occur by telephone at designated times. Financial guidelines require the applicant to have household income less than 125% of the federal poverty guidelines (with up to 200% in limited circumstances). Prior to the employment of the plan administrator, ILS would direct eligible persons to attorney Michael J. Hollenbeck of Lawrenceburg, who would match the applicant with a volunteer attorney, if one was available. Mr. Hollenbeck would locate a volunteer attorney and send the intake information to the attorney with a letter indicating that the applicant would be directed to initiate contact with the attorney. The attorney would indicate whether the referral was accepted and would be responsible for reporting to Mr. Hollenbeck upon case closure, indicating the hours worked.

ILS and District 12 have worked closely since its inception. ILS performs intake services for District 12 and administers District 12's funds. Although District 12 intends to provide additional intake methods to make pro bono services more accessible to the public, it fully intends to continue receiving referrals from ILS. The ILS managing attorney has been a regular and active member of the District 12 committee and the continuance of a cooperative relationship is anticipated. District 12 does intend, however, to relieve ILS of the burden of administering District 12 funds and to maintain its own accounts.

The plan administrator is now responsible for assignment of cases to volunteer attorneys and tracking cases for reporting purposes. Simple forms have been developed to enable volunteer attorneys to report pro bono activities without undue burden. Databases have also been developed for case tracking and monitoring attorney participation. Because of ongoing concerns regarding the accessibility of pro bono services, the plan administrator will serve as an intake portal to supplement or replace the ILS intake process.

**Please describe any special circumstances, including difficulties encountered, affecting your District's 2005 implementation of its plan.**

Until May, 2006, District 12 did not have a plan administrator. The District 12 pro bono committee did not meet in 2005. Although several low-income persons were provided service through District 12 through the dedication of ILS and District 12 committee members, the plan (without the benefit of an administrator) became dormant. Record-keeping suffered in particular. A further consequence is that the program has not been utilized to its potential. One or more of the eight judges within the district appoint/assign attorneys to prosecute or defend civil actions under the authority of Ind. Code § 34-10-1-1, as opposed to utilizing the pro bono plan. Once the vitality of the program has been re-established, it is hoped that these cases will be redirected to Legal Volunteers. It is hoped that volunteer attorney participation will grow with a plan administrator in place. Importantly, marketing of the program to the public and other referral sources will advance growth of the program and recognition of its volunteer attorneys.



### BUDGETS for 2005, 2006 and 2007

Income Category	2005 Actual Income	2005 Budget	2006 Actual Income To Date	Revised 2006 Budget as of 6/30/06	2007 Budget
<b>A. INCOME</b>	-	-	-	-	-
1. IOLTA Grant Amount	10,000		9,500	9,500	55,325
Other Income: <i>Explain source(s) and if Actual/Expected in narrative</i>					
2. Cash Reserved from Prior Grants			19,815	19,815	
3. IOLTA Grant Anticipated				15,000	
4.					
5. Total Income (sum of lines A1 – A4)	\$ 10,000	\$	\$ 29,315	\$ 44,315	\$ 55,325
Expense Category	2005 Actual Expenditures	2005 Budget	2006 Actual Expenditures To Date	2006 Budget	2007 Budget
<b>B. PERSONNEL EXPENDITURES</b>					
1. Plan Administrator	2,400		5,000	20,000	30,000
2. Paralegals				1,300	5,200
3. Others - <b>Please explain</b>					
4. Employee benefits					
a. Insurance					
b. Retirement plans					
c. Other - <b>Please explain</b>					
5. Total Personnel expenditures (sum of lines B1 – B4c)	\$ 2,400	\$ 0	\$ 5,000	\$ 21,300	\$ 35,200
<b>C. NON-PERSONNEL EXPENDITURES</b>					
1. Occupancy				0	600
2. Equipment Rental				2,250	500
3. Office Supplies				1,300	750
4. Telephone			192	1,000	1,500
5. Travel		600		1,000	1,000
6. Training		600		750	1,000
7. Library				0	0
8. Malpractice Insurance				1,775	1,775
9. Dues and Fees				950	300
10. Contingent Reserve				2,000	1,000
11. Litigation Reserve				3,000	1,000
12. Marketing and promotion		1,000		1,000	800
13. Attorney recognition	418	500		1,200	1,500
14. Litigation expenditures	60	10,960		3,000	5,000
15. Property Acquisition				0	0
16. Contract Services		2,400	1,200	1,200	2,400
17. Grants to other pro bono provid-	2,400			0	0

ers					
18. Other - <b>Please explain</b>				1,500	1,000
19. Total Non-Personnel Expenditures (sum of lines C1 - C18)	\$ 2,878	\$ 16,060	\$ 1,392	\$ 21,925	\$ 20,125
<b>D. TOTAL EXPENDITURES</b> (sum of B5 & C19)	\$ 5,278	\$ 16,060	\$ 6,392	\$ 43,225	\$ 55,325
<b>E. ENDING FUND BALANCE</b> (A5 less D)	<b>\$ 4,722</b>	<b>\$ 0</b>	<b>\$ 22,923</b>	<b>\$ 1,090</b>	<b>\$ 0</b>

## **Budget Narrative**

Please provide descriptions of the following line items in the foregoing budget chart, by item number, in the space provided. Please explain any other budget entries that are not self-explanatory, including other sources of income.

Lines (A)(1), (2), (3), (4) Please indicate the number of hours per week for each personnel position, rate of pay, and all employee benefits.

**2005 Actual and Budget:** The numbers are taken from prior years report. We have no supporting documentation.

**2006 Revised Budget:**(1) District 12 hired a part time administrator in May, 2006, \$30k annual with no benefits

**2006 Revised Budget:**(2) Includes a part time paralegal 5 hrs week at \$10 /hr. with no benefits.

**2007 Budget:** (1) Part time administrator in May, 2006, \$30k annual with no benefits.

**2007 Budget:** (2) Includes a part time paralegal 10 hrs week at \$10 /hr. with no benefits.

Line (B)(1) Please describe the occupancy cost in terms of square footage, utilities or other amenities and indicate whether the occupancy cost is above or below the market rate for that space.

**2005 Actual and Budget:** The numbers are taken from prior years report. We have no supporting documentation.

### **2006 Revised Budget:**

(1) Occupancy: Rent and Utilities donated by Frank Cardis, plan administrator

(2) Equipment Rental: Upgrade to telephone system for new line, labor & purchase of computer & printer

(3) Office Supplies: Includes printing of letterhead, envelopes, business cards, postage, shredder & office supplies.

(5) Travel: Multiple trips to Indy, Columbus, New Albany for training and shadowing, along with each county bar meetings

(8) Malpractice Insurance: \$1,500 and Premises Insurance \$275 - estimated

(9) Dues & Fees: \$175 TIN, \$500 for Incorporation & 501c3 fees along with NLADA fees

(10) Contingent Reserve: Due to this being our initial year, this is there for unanticipated expenses

(16) Contract Services: We pay Indiana Legal Service \$200 month for intake service

(18) Other: Accounting Service for Quarterly and Y/E Reporting, Translation and Copy Expense

### **2007 Budget:**

(1) Occupancy: \$50 month for assistance with utilities, phone system, internet access, etc. The rent is donated.

(16) Contract Services: We pay Indiana Legal Service \$200 month for intake service

(18) Other: Accounting Service for Quarterly and Y/E Reporting

## **2007 PLAN SUMMARY SUPPLEMENT**

Marketing and promotion of the Legal Volunteers program is critical to the continued vitality of the program. Awareness of the program in the Courts, among social service agencies, and by the general public is necessary to complete our mission. Informational Brochures will be developed reflecting services available, application processes, and eligibility requirements. These materials will be augmented by personal interaction between the administrator, other committee members, Courts, and social service agencies. District 12 will investigate the development of a website, which would be accessible from the Pro Bono Commission website and would provide information, as well as the ability to download an intake form. The plan administrator has identified potential additional attorney resources in corporate and attorneys practicing in the Cincinnati/Northern Kentucky area who are admitted to practice in Indiana. Letters and other literature will be sent to such persons in an attempt to recruit additional volunteers.

The Legal Volunteers program is currently funded entirely by IOLTA. Additional funding sources, such as community foundations, will be identified and grant applications will be submitted in an effort to supplement available funds. As a necessary step, Legal Volunteers will become a corporation and will seek 501(c)(3) public charity tax status. Steps have been taken to make the program financially independent of Indiana Legal Services, which has managed its past funding. Such independence will give the program greater control of its internal accounting. Although District 12, along with the other districts, has been the fortunate recipient of IOLTA funds from the Indiana Bar Foundation, securing other sources of funds will ensure that the program is able to continue during those times when IOLTA funding is scarce. Even when IOLTA funding is significant, funding from other sources will enable District 12 to consider additional programs to service low-income persons in Southeast Indiana. Further, the relationship between Legal Volunteers and Indiana Legal Services will be continually developed to promote such services.

Funding for the remainder of 2006 and 2007 is absolutely critical to the rebirth of the District 12 pro bono plan. Essentials, such as computers, printers, letterhead, software, and other essential office supplies and equipment must be purchased. Extraordinary expenses will be necessary to market the pro bono plan to the bar, judiciary, and social service providers. Attorney recruitment is especially critical during the early stages of rebirth, requiring significant time and effort and many personal contacts. Recognition of volunteer attorneys is especially critical during this period, not only to show appreciation for the efforts of our current volunteers, but to encourage others to join our ranks, either as volunteer advocates or mentoring resources. Because most requests for services and most attorney resources exist at the opposite ends of the district (Lawrenceburg and Madison), it is critical that members throughout the district become involved and invest themselves in a commitment to the pro bono mission. It has been said, District 12 may not need an administrator as much as an evangelist.

Because of the history of this district, this grant application is necessarily goal-oriented as opposed to being justified on past results. Past results, however, appear to be attributable to the lack of organization and administration. It is not indicative of a lack of commitment or enthusiasm, at least on the part of the pro bono committee and a significant number of exceptional volunteers. The efforts of these committed individuals, when brought to light, will hopefully inspire many to join the mission to ensure access to high quality and timely pro bono civil legal services for persons of limited means.